IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9343 OF 2005

Divyakant Himmatlal Sarvaiya Petitioner

versus

Priti Manish Gala nee Priti
Lalji Chheda and another Respondents

Mr.Thorat, Sr.Counsel i/by Y.K.S.Legal for petitioner.

Mr.Ravindra Parekh with S.S.Pawar for respondent no.1.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 23rd January 2006

PC :

1. Heard learned counsel for parties. After hearing Shri Thorat for petitioner-husband, in my view, at this stage no interference is necessary with the direction of the Trial Court to pay maintenance to first respondent wife and the second respondent child.

2. All that can be observed, considering the submissions made by Shri Thorat and the grounds raised in the petition, is that liberty is always

there to the petitioner to apply to the Trial Court for modification and/or variation of the order passed on the maintenance application and needless to observe that upon production of materials, it would be for the Trial Court to consider as to whether the said order needs to be modified, varied or set aside. Needless to state that when such an application is made, the Trial Court would decide the same on it’s own merits and in accordance with law.

(S.C.DHARMADHIKARI, J.)